A

G. R. S. 58]

Previous references. L. R. 9 – 1872 881-11.

1914.

File No. 2 (1.5

Serial Nos. 1. L

(Imzrai)

Later references.

{ 13-12-14 to 55

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 - L

Part B for Dec 15

SUBJECT.

Improvements to Ekim Sie's makan in the Residency Compound.

To the Hon'ble the Resident. D.O. No 2506 dy 9-12-14.

Sending on ad-Interim reply.

W D 1351—GPD—20,000—18-12-15

S. 11 RG-1872 148-07 Sl no 1-11 1914. File No 245 of 1914 Sl No:- 1-2

GENERAL AND REVENUE SECRETARIAT.

(Mysore)

NOTES.

File No. 245-11

FILE HEADING.

Improvements to Shimsha's makan in the Residency compound.

From

The Hon'ble the Resident in Mysore.

D.O. No. Fr. 2133 Dated 9.12.1914 Received 9.12.14.

Diary No. 940	Enclos. 1 file Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests the advice of the Durbar as to what action should in their opinion be taken in the matter of Mr. Venkatachala Mudliar's application praying for permission to effect certain improvements to the house

NOTES AND ORDERS.

Sl. 2. To, the Hon'ble the Resident,

D.O.N. 2506 Dt 9.12.14.

Send an ad-interim reply.

NOTES—First Sheet.

GPB—35,000—15 6 12

REPLY.

e written on this margin.)

Office of the Dewan of Mysore.

NOTE.

Dated ...9th December ...1914.

D.O.letter No.10003 dated 9th December 1914 from the H$_o$n'ble the Resident in Mysore enclosing a file of papers regarding certain Mahomedan graves in the Residency compound and asking for the opinion of the Durbar in the matter.

Forwarded to the Secretary, General and Revenue Departments for favour of working up of the case and returning the papers with a draft reply.

9/12/14 RG

H.S. VII

Please let me have a note on this subject in 2 days with reference to any

Sept.

10/12

Are any papers available. Some information will be available in the land records when the land in question was acquired and the names granted instead.

There might also be some papers in the graves when the land was made over to the Residency. Please see if papers are avail

RG
10.12.14

R. S. 12]

General and Revenue Secretariat.

File No. 245 of 1914.

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Some old references of the years 1873, 1876 and 1877 traced out from the General Records are put up An informal enquiry was made in the Inam Supts' office on the subject of the endowments of the makan.

The previous history of the site is as follows:—

Ekin Sha was a fakir or a mussalman mendicant who took up a portion of the site set apart for the construction of the old Sampigehalli Village, Halsur Hobli, Bangalore, built his house and makan upon a small section for the accommodation of himself and fakirs of his class, and appropriated the remainder for cultivation for his support. Subsequent to his death, he appears to have been buried in his own compound and a monument or Darga was erected over his tomb which has since become the object of worship and of annual festivals. From the inam enquiry, it will be observed that Ekin Sha's makan was "subordinate to that of Nabisha constructed near the Lal Bagh Bungalow.

NOTE—Contn. sheet.

GPB—25 000—9 11 14

2]

General and Revenue Secretariat.

File No. 245 of 1914.

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According to the Inam Sett of 1874, the institution had been endowed with land old beriz 5-1 3/4 K P, (~~kanjay~~ corresponding to 3-9 a g/5), old Paimaish S. No. 133 of Sampigehalli Village, for the support of the Makan and its inmates, and for performing the urus at the Darga or tomb standing in the ground. For the enlargement of the Jail house at Bangalore, 3-9 a g/5 of inam land was taken up under the L A act of 1870. The Grant of a piece of waste land in exchange for the one taken up as well as Compensation for certain houses thereon, and also a Grant for enclosing the Darga with an approach from the road was sanctioned as indicated in the margin —

G.O. No. 12855 R.218 Dt 17th March 1877)

For houses etc. Rs 418-0-0
Enclosing the tomb 216-0-0
Purchasing another land 465-8-0
Rs 1099-8-0

The Darga manager was allowed to purchase suitable land with the sum of Rs 465-8-0 assessed for the purpose within a time to be prescribed. Dry S No. 22 measuring 2-15 a g and

NOTE—Contn. sheet.

GPB—25 000—2 11 14

Serial No.

in Gerchalli village, Agara Hobli, Banga-
assessed at Rs 2-12-0, now continues
as inam for the support of the institu-
and for the contract of lamps therein
(vide Register of instns endowed with land inam).
At the time of handing over the
possession of this land to the Mahan,
a Muchalika must have been obtained
from the then manager. The Muchalika
will be a useful document as showing
the conditions of the inam grant and other
particulars.

As regards the question which has
now come up for consideration, it will
be observed from the file of records
received with D.O of 9th instant from
the Honble the Resident, that Mr. K.
Venkatachalla Mudaliyar, Head clerk,
Supdtg. Inspr's office, Southern circle, has
petitioned the President, City Munl. Council,
Bangalore, representing that he has
carried stones to near the graves in
view to erect a shed for a Fakir to
live in and watch the shrine, and also
to put up a covering over the shrine
now enclosed by walls on all the 4 sides
at a cost of Rs 800 or Rs 1000 to be
contributed by Mahomedan and Hindu devotees

NOTE—Contn. sheet

GPB—25 000—2 11 14

General and Revenue Secretariat. | File No. 245 of 1914.

Serial No.

He says that the holiness of the place will not be complete without some trees and flower plants all round, and solicits permission to utilize about half an acre of land all round the present shrine which will also serve as a pathway for devotees that go round the shrine. He wants permission to make an approach road to the shrine from the jail road close by.

29 V, un (Consultation with Mr. Stevens)

A Copy of this petition is in the file. Perhaps as the Graves are situated in the Residency Compound, it might have been forwarded to the Residency for favour of orders.

7g "

On 31st August 1914, the petition was forwarded to the Collector, Cuddapah Station, for a report with the observation that the Resident had no objection to giving all reasonable facilities for keeping the place in order, but as the ground was the property of the Govt. of India, it would seem that the whole scheme might have been proposed under a mis-apprehension. It was also added that " it is not desirable to hurt anyone's feelings

NOTE—Contn. sheet.

GPB—25,000—2-11-14

General and Revenue Secretariat. | File No. 245 of 1914.

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	over the affair, but it is clear that the present proposal is not of the pucca one Peer Mahomed Shah has put in a
79 9	Counter-petition protesting against the grant of permission and stating that this Dargah is attached to that near the Lal Bagh
79 12.	In his letter dt 5th Decr 1914, the Collector while forwarding the record of enquiry was of opinion that the proper person to apply for the Resident's permission to any improvement is the Peerzada of Lal Bagh Dargah and not the applicant. The Peerzada in his petition to the Builder, C and in Station states that unless the applicant declares in writing that he will have no right to the building to be erected and that he has made a charitable endowment of the building, permission may not be granted to him for its construction.
	The Hon'ble the Resident desires the Darbar's advice as to what action should in their opinion be taken in the matter.
	From the above facts it is clear that the Dargah in question is a Muzgai Kadim subject to the orders

NOTE—Contn. sheet.

GPB—25 000—2-11-14

R. S. 12]

General and Revenue Secretariat.

File No. 245 of 1914.

Serial No.

Submitted for orders.
AM (15-) 12-12-14.

Under Secretary's Note.

Certain papers relating to this institution have been traced in the Secretariat records and these relate to the sanction accorded by Government to the acquisition of the land endowed to the institution and the grant of another inam land instead. The original records leading to the acquisition in question which are likely to throw ~~shew~~ some light upon the importance and other particulars regarding the institution are probably in the Deputy Commissioner's Office. If further information is required in this respect a reference to the Deputy Commissioner will have to be made.

2. Ekim Sha Makhan and Darga is an old Muzrai institution originally endowed with a piece of land in Sampigehalli village (Paimashi No.133 extent ~~bonz~~ 5 K. 1¾ p.) This land was acquired by Government in 1870 for the purpose of extending the compound of the Government House and Survey No.22 (extent 2 A.25g. and assessed at Rs.2-12-0) was granted instead as Devadaya Inam for the support of the institution.

3. The Darga alone is at present extant, but it is probable that there were also Makhan buildings

NOTE—Contn. sheet.

GPB—25 000—8-11 14

S. 12]

General and Revenue Secretariat.

File No. 215 of 1914.

Serial No.

more or less extensive, attached to the Darga and known as Fakiraiya's Matha which is referred to at column 13 of the extract of Inam Register. These buildings appear to have also been acquired in 1870. The records show that compensation to the extent of Rs.418/- was granted to the Manager for certain buildings which probably constituted the Matha or Makhan in question. The Darga itself is in tolerable state of preservation. It continues in the enjoyment of the inam land and apparently commands the devotion of certain sections of the public though perhaps spasmodically.

4. Para 2 of Chief Commissioner's Order No.428 -Rev.15 dated 25th April 1873 conveying sanction to the acquisition of the inam land, makes it clear that the institution should be maintained as usual, a state endowment being granted "in place of the former inam for the up-keep of the tomb therein situated and for the performance of the usual Urus service." It may be presumed therefore that the Darga site did not form part of the extent acquired and added on to the Residency Compound.

5. The papers now available do not disclose the actual extent which originally was intended to be so excluded. A walled enclosure has been constructed by the authorities soon after the

NOTE—Contn. sheet.

GPB—25 000—2-11-14

S. 12]

General and Revenue Secretariat.

File No. 245 of 1914.

Serial No.

3.

acquisition and this enclosure which is 80ft by 40 ft. may be taken as co-extensive with the original site of the Darga.

6. At the time of acquisition the Inam Commissioner proposed "that the Darga or tomb should be enclosed with an approach and planted out". The Chief Commissioner at para 4 of his order dated 25th April 1873 referred to above, was pleased to sanction the proposal as to the enclosure and approach, but no express direction was given in the matter of the planting. The enclosure was accordingly constructed, but beyond a foot path no defined approach from the adjoining road appears to have been laid out. It therefore remains to lay out an approach road taking off from the main road passing to the west of the institution.

7. The proposal now for consideration is not merely to have the promised approach, but to put up an ornamental covering roof over the tomb, to construct a shed for a Muzavar or care-taker and to lay out a flower garden round the Darga. For the last two items the organizers pray for the free grant of about half an acre from the Residency grounds. There is no question of public right involved in this matter and it is purely one for the gracious consideration of the Honourable the Resident.

8. As regards the construction of an ornamental

NOTE—Contn. sheet.

GPB—25,000—2-11 14

roofing over the Darga, the subject is on slightly different footing. From the scketches enclosed in the Residency records, it is gathered that the approach is to be from the Jail Road to the west and that all the extent between that road and the Darga should be made over to the manager of the institution for a flower garden. This would practically mean that the institution is given a direct opening on the main road which is an important artery for traffic. Complications as regards the right of the Public to proceed with music in connection with religious ~~and~~ or secular professions are sure to arise and in this connection reference is invited to Chief Commissioner's Circular No.2528-72 dated 22nd August 187# deprecating the erection of such places of worship on any public street or thoroughfare.

9. Looking at all the circumstances of the case, ~~it appears to me that~~ perhaps be found to answer the following arrangements will sufficiently ~~meet~~ the necessities of the case.

(1) An approach road available for wheeled traffic taking off from the Jail Road and leading to the entrance of the Darga on the Northern side of the enclosure.

(2) A plot of ground about 40 ft.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

square in front of the Darga to be assigned to it temporarily or permanently for a small flower garden with permission to erect a small shed on one side of it as a resting place for the care-taker, but not as residential quarters.

(3) The Manager of the Darga to be allowed to raise 2 or 3 rows of specified classes of trees round the enclosure, if it is considered necessary to screen the Darga from the public roads. In that case the usufruct of the trees may go to the Darga but the ground may continue to remain the property of the Residency.

(4) The opening into the Darga should face North as at present and the Manager and the principal devotees should undertake not to raise any objection against the right of the public to proceed in procession in the roads to the West and North of the institution.

15.12.14

Seen

A draft reply to the above effect may be suggested today. The file came to my room without any immediate step or any other step. Asst. Supt. should explain the matter on separate sheet.

Direct 17/12

Submitted with a Draft. Do.

17/12/14

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

neral and Revenue Secretariat.

File No. 215 of 1914.

Serial No.

Please put up a typed copy with draft put up June. Also make an open collection of the Secretariat records.

lca
18.12.14

A typed copy of the Draft and an open Collection of the records are submitted

DM 116)
19.12.14
19.12.14

lca
19.12.14

With reference to the Diwan's Note, dated 9/12/14, a draft reply to the Hon'ble the Resident, is put up for consideration.

Diwan through First Member

Dwarakanath Rao
19/12

I have seen the Please & amended the draft

Lushington
19.12.14

3560
24.12.14

An alternative draft on the lines indicated by the Diwan is put up for approval

lca
24

NOTE—Contn. sheet.

GPB—25,000—2-11 14

General and Revenue Secretariat.

File No. 245 of 1914.

Serial No.

291

Subd & 1 Nr. memo from Deoman

Rec 5.1.15

Approved Hayward 6/1/15 Draw 7/1

3702 7-1-15

Subd & Deoman

Rec 7.1.15

The D.O. letter has been revised vide D.O. letter No. 2633 dated 14.1.15 & the other papers resubmitted —

MR Draw 16/1

Rec 15/1

NOTE—Contn. sheet.

GPB—25,000—2-11 14

S. 12]

General and Revenue Secretariat.

File No. 245 of 1914

Serial No.

The file was again sent to me by the Secretary on 15th February 1915 for further needful action with D.O. letter No.2323 dated 5th February 1915 from the Hon'ble the Resident. The Secretary had also appended a pencil note conveying the idea of the Dewan as to the lines of settlement.

2. I immediately placed myself in communication with the Amildar with a view to come into touch with the interested parties and ascertain the views of the community. Mr. Sayed Yakub who was making the necessary enquiries left the place on transfer without sending in his report. The present Amildar Mr. T. Hanumanta Rao acting under my instructions has investigated ~~into~~ the question and submitted a report in the matter. In the circumstances of the case, I thought it inadvisable to have any formal enquiry instituted or send out general notices to the community, but I had myself personal talks with some of the interested parties.

3. Ata Ulla Sha was a priest of some note hailing from Aurangabad during the days of Hyder Ali Khan and in accordance with the practice obtaining in the sect to which he

NOTE—Contn. sheet.

GPB—20,000—30-6 15

Serial No.

belonged, he built a Makhan during his life time wherein his mortal remains were also to be interred and large land inams were granted for its maintenance by Hyder Ali Khan which were later confirmed by Tippu Sultan. These inams including the villages constituting the so-called Jaghir of Ammapalyam in the Salem District are still in the possession and enjoyment of the descendents of Ata Ulla Sha.

4. The original Makhan or Darga of Ata Ulla Sha which is situated near the Lal Bagh descended to his son-in-law Nabi Sha and from him to his second son Sajjada Sahib. After Sajjada Sahib, one Sheikam Ahmed Sattar, the son of a younger brother became the Sajjada leaving out the descendents of another brother next to him in age. These latter form the Ammapalyam branch of the family, one of whom has interviewed the Dewan. Sajjada Sheikam Ahmed was succeeded by his son and the later dying in 1907 was succeeded by his minor son Syed Sha Culam Ali Sahib whose present age is about 15 years. In this connection it may be mentioned that one Syed Ahmed Sattar calling himself the Jaghirdar of Ammapalyam contested the succession but his claims were disallowed by Government and Gulam Ali Sahib was recognised

y

GPB—20,000—30 6 15

S. 12]

General and Revenue Secretariat. | File No. 245 of 1914

Serial No.

recognized as the Makhandar.

5. Ekin Sha is reported to be one of the principal disciples of Nabi Sha, the second Sajjada and he set up a Makhan for himself on properties belonging to Ata Ulla Sha's Makhan and in this building his remains were interred and this is the principal grave among those existing in the Residency grounds. Whatever truth there may be in this statement, there is no doubt that the Makhan and its properties went back after the death of Ekin Sha, not to his heirs, but to Nabi Sha, Sajjada of Ata Ulla Sha's Makhan either because of the original ownership of the properties or because of the relationship of master and disciple existing between them. Nabi Sha in his turn transferred these properties for the benefit of his daughter Thy[illegible]unnisa who was the person that figured in the acquisition proceedings as the the owner of the properties.

6. On the death of Thy[illegible]unnisa, the Makan and its properties came again under the control of Sheikam Ahmed Sahib, the Sajjada of Ata Ulla Sha Darga and the present Sajjada of the latter institution must, therefore, be considered to be the manager of the Ekin Sha Makhan. His guardian Sayed Mohadin Vajiuddeen Shhhaaki

NOTE--Contn. sheet.

GPB--20,000--30 6-15

12]

General and Revenue Secretariat. | File No. 245 of 191 1/

Serial No.

x

Shattari has been examined and his statement is on the file. It will be seen therefrom that the graves were until recently in the possession of the Sajjada, that Urus, Sandals and weekly prayers were being offerred at his instance and that he is unwilling to allow the control of the institution to pass out of his hands.

7. So far as I am able to gather, the Ekin Sha Makhan itself is only of secondary importance and that even now there is not much of general devotional feeling engendered by it either among the Mahomedans themselves or among the Hindus. I had also interviewed Mr. Venkatachala Mudaliar, the petitioner who first moved for permission to build a Darga over the graves. He spoke to me of his personal devotion to the institution and the willingness of the other devotees to constitute towards the cost and went away undertaking to places before me in a week's time his definite proposals but he never turned up again nor has he presented himself before the Amildar in answer to a notice issued to him by that officer.

8. He seems, however, to have written to one Sha Kasim Hassain Shattari styling himself as "Sirajul Mashayak Peerzada Haider Alli Tippu Sultan Shah Kazim Hussain Shuttari, Jaghirdar

NOTE—Contn. sheet.

GPB—20,000—30-6-15

R. S. 12]

General and Revenue Secretariat. | File No. 243 of 1915.

Serial No.

of Ammapalyam" who is now resident at Trichinopoly. This person had interviewed the Dewan by appointment on 16th April 1915 and was referred to me, but he did not chhose to give me the benefit of a personal visit.$ One Sajjdar Ali Sha who represented himself as the Mujavar of Ata Ulla Sha Durga saw me on his behalf and represented that it would be sufficient if a small flower garden is allowed to be laid out with an approach road to the Makhan and that permission may also be granted to have a shelter of some sort erected for the convenience of the Mujavar attending at the shrine. As apparently he is also working in the interests of the Jaghirdar of Ammapalyam, it was not considered necessary to take a formal statement from him.

9. Sha Kazim Hussain Shattari himself has written to me a letter under date 15th September 1915 which is put up herewith for reference, wherein he advances his claims to be declared the manager of the institution and that he has appointed as his agent Mr. Venkatachala Mudaliar and a Fakir to offer prayers. Sayed Vaji Uddin, the guardian of the Minor Sajjada refuses to admit his pretensions or his right to appoint a Mujavar and declares himself read.

NOTE—Contn. sheet.

GPB—20,000—30-6-15

Serial No.

to make proper arrangements for the conduct of the ceremonies and to improve the institution with the help of such subscriptions as may be collected from the devotees. He prays that interference in the management of the institution from outsiders may be prevented and that permission may be granted to him to substitute a charity box in place of the one now kept on the premises by Venkatachala Mudaliar.

10. Thus the whole question resolves itself into a family dispute for possession of the graves by the descendants of the original Sajjada and it is not unlikely that even the recent revival of devotional feeling towards this Makhan may have been more or less engineered by Sha Kaji Hussain Shattari himself, assisted by Venkatachala Mudaliar. In this connection it may be stated that Ammapalyam branch of the family have more than once approached Government for declaration of their rights to the possession of the Ata Ulla Sha Darga and failing in this attempt the present object of the gentleman aforesaid may well be to have a hold on some institution at Bangalore which can be worked for the benefit and glorification of himself or his family.

11. Without entering into the merits of the

NOTE—Contn. sheet.

GPB—20,000—30-6-15

R. S. 12]

General and Revenue Secretariat.

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Serial No.

dispute, there appears to be no doubt that Ekin Sha Makhan was a subordinate institution to Ata Ulla Sha Darga and that the Sajjada of the latter must be considered to be the manager of this Makhan also. The latter being a minor it appears to be inexpedient to allow any action being taken which can conceivably be prejudicial to his rights and the undertaking of the minor's guardian to do all that is necessary in the way of worship may have to be accepted. Under these circumstances no action appears to be called for at present by way of a declaration of intention to grant further concessions until the Sajjadá himself or his guardian names for them. The guardian does not appear to have any definite conception of what is wanted, nor is he in a position to formulate his requirements in the absence of definite knowledge as to the financial support he may expect from the devotees of the Shrine. He is himself a resident of the Salem District and only comes into Bangalore occasionally to see to the management of the Darga.

12. Under all the circumstances of the case it appears to be best not to pass any definite orders on the application of Venkatachela Mudaliar. If approved, an endorsement may be

NOTE—Contn sheet

GPB—20 000 -30 6 15

G.R. S. 12]

General and Revenue Secretariat. | File No. 245 of 1914.

Serial No.

issued to him that as neither he nor his principal Sha Kazim Hussain Shattari is shown to have any proprietory interest in the institution, the Hon'ble the Resident is not prepared to consider his application for permission to put up a permanent structure over the graves or to enclose the ground in the vicinity. A recommendation to this effect may be sent to the Hon'ble the Resident but if a definite advice as regards the concessions required to answer the needs of the Makhan should also be tendered at the same time, the Hon'ble the Resident may be informed that the Durbar agree with him in thinking that it is sufficient if the cleared space now in front of the graves is allowed to be enclosed for a flower garden with an approach road and that no structure over the grave itself is necessary but that a small verandah or a box to serve as a shelter to the caretaker will be appreciated.

13. It is doubtful if the authorities of the C.& M.Station will be prepared to exercise the powers of a Muzrai Officer to declare who the rightful manager of the institution is and to hand over to him its possession at the same time warning off the intruders. It seems out of the question for a State Muzrai Officer to

NOTE—Contn. sheet.

GPB—20,000—30-6-15

R. S. 12]

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interfere and take any action in the matter. To prevent future complications and perhaps disturbance, it seems to be expedient to extend a warning to Venkatachala Mudaliar and all other persons concerned not to interfere in the rightful possession of the shrine and the conduct of worship therein by the recognized Sajjadé of Ata Ulla Sha Darga. It is a matter for consideration whether the Civil and Military Station authorities will not be well advised in taking some such action under any of the preventive sections of the Criminal Procedure Code.

Varadarajulu Naidu
Mysore Supdt.

30.9.15

Subd & 1st. member sent Dewan.

A draft reply will be submitted after receipt of instructions as to the lines on which it should be framed

[illegible]
30.9.15

I think the view of the Mysore R.S. is correct & may be communicated to the Resident. Please put up a draft.

[illegible]
4/10/15

[illegible]
5/10/15

NOTE—Contn. sheet.

GPB—20,000—30 6 15

General and Revenue Secretariat.

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Serial No.

Draft submitted for approval
6.10.15

(1st member)

Draft appd: by First member
9.10.15.

2062
11.10.15

The draft D.O.letter is very long. The proper thing to do seems to be to put all the information now embodied therein in the form of a 'note' by the Muzrai Superintendent and have the same transmitted to the Hon'ble the Resident, with a short covering demi-official letter from me.

At the same time it would facilitate reference, if a plan is prepared showing exactly the space which may be allowed to the Makan people in future in pursuance of the recommendations now made in the draft D.O.letter.

Action may now be taken on these lines with the approval of the First Member and the papers kindly returned within a week, if possible, with the necessary drafts and plan.

30.10.15

Muzrai 263

2/11/15

NOTE—Contn. sheet.

GPB—25,000—2-11 11

General and Revenue Secretariat.

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The Divisional Engineer should have a plan prepared. Let him bring it in rough and I shall give instructions. I want the Sketch ~~draft~~ tomorrow

Lee
2.11.15

Sub[d] 45 Lt. Menon and Keevan

Lee
9.11.15

Approved

The Plan may be explained showing present Cond[n] (Black lines) & additions (red lines) clearly -

10/11/15

Lee 11/11/15

11/11/15

2386
12.11.15

Subd 45 Keevan

Lee
12 11 15

NOTE—Contn. sheet.

GPB—25,000—2-11 14

Points on which further information is required in connection with the Makhan case (graves within the Residency compound).

1. *Are we sure that the plot in question belongs to the Residency and that their consent is required?*

2. *Will the owner be able to put in a low wall enclosing the whole area including the approach road, so that the people belonging to the Makhan may not wander about and the rest of the area may be kept clean and tidy?*

Note. *The concessions may be given provided the persons in charge agree to construct a decent wall in brick and mortar all round, to enclose the premises.*

S. 12]

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1. It is clear from the Chief Commissioner's letter No 428 dated 25th April 1913 that the land surrounding the Makhan was permitted to be acquired and in order no 12853 dated 17th March 1911 a sum of 1099-8-0 was sanctioned as compensation and towards the cost of the enclosure. There seems to be little doubt therefore that the land surrounding the enclosure is Residency property. No acquisition was made to enlarge the compound of the Govt. house which I believe has since been made over to Govt. of India as Quarters for the British Resident.

2. ~~With deference I would submit that the necessity for putting up a wall did not strike me. The proposals contained in my note were based on the supposition that there would be no enclosing walls or otherwise the Government claims may have to include a space of 15 feet all round the enclosure 15~~

NOTE—Contn. sheet.

GPB—20,000—30-6-15

F. R. S. 12]

General and Revenue Secretariat.

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Serial No.

permit of circumambulation and the approach road will have to be a good-deal wider than 12 feet. Even as regards the garden in front, permission to raise plants was to be granted, the ownership continuing in the Residency. It is a matter for consideration whether a dead wall enclosing the approach road will not mar the scenic effect of the grounds. In any case the cost will be pretty high and I believe the guardian of the mines Sarjeants will not be in a position to undertake it without substantial help from the department. If required information on this point will be obtained and submitted

GPB—20,000—30-6-15

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Subd to Mr. member and Devan
Mr. Kitchener was
consulted and he was not in favour
of allowing the construction of an
outer wall to enclose the premises
and he considered that a properly
raised path of 3' width round
the existing enclosure will be sufficient
to allow the devotees to go round the
Makhan.

The Devan was pleased
to direct that another sketch may
be prepared granting to the insti-
tution all the ground between it
and the road to be enclosed by a
wall wherein the approach road
may lie and the intervening space
converted into a garden.

A sketch prepared according
to the directions is submitted herewith.
Two entrances have been provided
to allow of a separate one for Purdah
ladies. The present openings are to be
walled up. The semi-circular space between
the road and the enclosure may be
converted into an ornamental flower
plot with a few cypress or other orna-

NOTE—Contn. sheet.

GPB—25,000—2-11 14

R. S. 12]

General and Revenue Secretariat.

File No. 245 of 1914

Serial No.

trees may be planted along the road way. A small mantap or a guard house may be put up at one corner of the ground to serve as a shelter to the Muzawar

If the above is approved, the draft letter to the Resident will require revision

In this connection I wish to mention that there is a Municipal temple about 100 ft. to the South of the Makkam on the other side of the road to which blood sacrifices are sometimes made. The distance is such that no objection is likely to be raised by the Makkam people particularly as the open ground is to be walled up. It may however be better to mention that the Makkam people should not raise any objection to such worship or to the passage of processions in the Main road with music or any paraphernalia

Sd
23.11.15

NOTE—Contn. sheet.

GPB—20,000—30-6 15

S. 12]

General and Revenue Secretariat.

File No. 245 of 191 4

Serial No.

Sub

MT 4/12/15

Dhowa

2843
6-12-15

The DO to the Residency has been issued (No 3612 Dt 11 12 15) and the file is resubmitted — MR 14 12 15

BV VII (Mazra)

MT 15/12/15

C. J
SNS.

NOTE—Contn. sheet.

GPB—20,000—30-6-15

Note by the Muzrai Superintendent.

---:o:---

Subject.- Improvement of the Ekim Sha Makhan situated in the Residency grounds, Bangalore.

---:o:---

1. To begin with a brief statement of the history of this Makhan and its relationship to Atavulla Sha's Darga near the Lal Bagh will not be out of place. Atavulla Sha was a priest of some note, hailing from Aurangabad, during the days of Hyder Ali Khan and in accordance with the practice obtaining in the sect to which he belonged, he built a Makhan during his life time wherein his mortal remains were also to be interred and large land inams were granted for its maintenance by Hyder Ali Khan which were later confirmed by Tippu Sultan. These inams, including the villages constituting the so-called Jeghir of Ammapalyam in the Salem District, are still in the possession and enjoyment of the descendants of Atavulla Sha.

2. After the death of Atavulla Sha, his son-in-law Nabi Sha became the Sajjada of the Darga. After him, his second son Sajjada Saheb became the Makhandar and on his death, a grandson of Nabi Sha by his fourth son, named

Sheikan Ahmed became the Sajjada, though there were representatives of an elder branch in existence. These were the descendants of the third son of Nabi Sha who form the Ammapalyam branch of the family. Sajjada Sheikan Ahmed was in turn succeeded by his son and on the death of the latter in 1907, the succession to the Sajjadaship of his minor son Gulam Ali Saheb was recognised by the Durbar. The present Sajjada Gulam Ali Saheb is aged 15 years and theaffairs of the Darga are managed by his guardian and near relation Syed Mohadin Vajiyuddeen Saheb who is also a member of the Ammapalyam Branch.

3. Ekim Sha, the founder of the Makhan in the Residency grounds is reported to be one of the principal disciples of Nabi Sha, the second Sajjada and he set up a Makhan for himself on a property belonging to Atavulla Sha's Darga. In this building, his remains were interred and this is the principal grave among those existing in the Residency grounds. Whatever truth there may be in this statement, there is no doubt that the Makhan and its properties went back after the death of Ekim Sha, not to his heirs, but to Nabi Sha, Sajjada of Atavulla Sha's Darga, either because of the original ownership of the properties or because of the relationship of master and disciple existing between them. Nabi Sha, in his turn, transferred these properties for the

benefit of his daughter Thybunnisa Bibi who was the person that figured in the acquisition proceedings as the owner of the properties.

4. On the death of Thybunnisa Bibi the Ekim Sha Makhan and its properties came under the control of Sheikan Ahmed Saheb, the then Sajjada of the Atavulla Sha's Darga and its custody and care remained with his successors in office. It will thus be seen that the present lawful custodien of this Makhan is the Sajjada of the Atavulla Sha's Darga. Sayed Mohadin Vajuddin Shatteri, the guardian of the minor Sajjade has been examined and his statement which is appended shows that the graves were until recently in the possession of the Sajjada that Urus, Sandals and weekly prayers were being offered at his instance and that, he is unwilling to allow the control of the institution to pass out of his hands.

5. In moving for permission, to improve the Makhan, the applicant Venkatachala Mudaliar does not appear to be acting on behalf of the Sajjada or in his interest. In fact, one Sha Yasim Hussain Shattari of the Ammapalyam Branch of the family has put forward an independent claim for the possession of the Makhan and in a letter received from him he mentions this Venkatachala Mudaliar as his agent for the management of the Makhan. The Sajjada's guardian is not

prepared to admit the pretentions of Kazim Hussain Shattari or any other person to the possession of the Makhan and states that he is himself ready to undertake all that is necessary for the upkeep of the institution and for the periodical prayers and ceremonies therein. In this connection it may be mentioned that another member of the Ammapalyam Branch one Syed Sha Ahmed Shattari contested the succession to Atavulla Sha's Darga in 1907 but his claims were disallowed by Government.

6. In the circumstances of the case it is a matter for consideration whether it may not be advisable to allow the matter to lie over for the present until the Sajjada attains his majority and assumes direct control or atleast until his guardian is able to formulate his requirements in consultation with the principal devotees of the institution. He is a permanent resident of the Salem District coming occasionally to Bangalore to see to the management of the Sajjada's concerns and does not appear to be quite conversant with the local needs of the institution or the amount of support financial and otherwise which will be forthcoming from the devotees. The Makhan itself is understood to be only of secondary importance and its circle of devotees either among the Mahomedans or Hindus is somewhat

limited though ~~lately~~ latterly there has been some activity of the revivalist kind and attendance has been larger. A collection box is kept on the premises and out of the takings Muzavar or Caretaker is retained to offer prayers at the graves and keep the premises clean.

7. If, however, it is considered expedient that a definite decision should be arrived at, in the matter of concessions which may reasonaly be granted, the following two alternative proposals are submitted for favour of consideration, as meeting sufficiently the necessities of the case. Two sketch plans B.I and B.II to illustrate the recommendations are also submitted for purposes of reference.

Proposal I. In this no grant of extra space is proposed but permissive occupation is to be allowed. At present the caretaker of the institution has cleared a space of 39 feet by 70 feet both at front and behind the enclosure and a breadth of 16 feet to the West and 15 feet to the East of it. Some flower plants have been raised in the front space while two rows of stone pillars are set up at the back with some thatching to serve as the beginning of a rough shed.

Out of the cleared space noted above the flower garden in front may be allowed to be retained with the condition that no fruit or shade trees should be planted

thereon. A raised gravel path 3 ft broad may be formed adjoining the enclosure on the outside to permit of devotees going round the shrine.

The projected shed will be altogether an undesirable adjunct as it will make the institution untidy and attract a number of undesirable people. The pillars should therefore be taken down and the cleared space outside the gravel path may be resumed.

At the time of the acquisition in 1873 an approach from the road was promised. To allow of Purda ladies driving up, a carriage road may be allowed to be constructed taking off from the Avenue Road with a tunnel over the side drain.

It is represented that a small shelter from the sun and rain for the convenience of the Muzavar waiting at the institution is necessary. An elaborate structure for the purpose will be out of keeping with the surroundings. If a shelter is pressed for and the management has sufficient funds to put up a neat one , permission may be granted to erect a small wooden shed 6ft by 4ft on the left side of the entrance and adjoining the enclosure.

Proposal II.

Proposal II. In this, the space between the grave enclosure and the Avenue road is proposed to be transferred to the institution. This bit which is 68 feet 9 inches long and of the average width of 83 feet is to be enclosed by a decent wall in brick and mortar with a gateway opening on the Avenue Road over a tunnel.

The openings at present existing to the North and South of the enclosure are to be closed and new openings made in the Western wall at the two ends of carriage drive.

A guard house at the South West corner may be put up for the Muzavar's comfort while waiting at the shrine, but not to be used for residential purposes.

If the latter proposal is viewed with favour, it would be advisable as a precautionary measure to obtain from the management a suitable undertaking that no objection will at any time be raised on/ behalf of the institution or by its devotees to processions of all sorts passing along the Avenue Road with music playing and insignias paraded and to the conduct of worship and offering of sacrifices in the Mamul method at the Munisvara temple situated on the Avenue Road about 40 yards to the south of the Makhan.

8. In neither case does it appear necessary to have a proof over the graves or over the main grave of Ekim Sha. An elegant and artistic pavilion in keeping with the prominent situation of the institution can only be erected at prohibitive cost which neither its importance nor its resources warrant. Above all the erection of a roof over the graves is not a matter of religious necessity or invariable practice and in the circumstances of the case a demand on this behalf cannot be considered reasonable.

Sd. G. Aravamudu Iyengar.
Muzrai Superintendent

****

" C o p y "

D. O. No. 2323

(11

BANGALORE.

My dear Dewan Sahib,

5th February 1915.

I am very much obliged to you for your d/o letter No 2633, dated the 14th Janry 1915, regarding the Muhammadan graves in the Residency compound & I return herewith the file of papers which you kindly sent for my information.

I had the advantage of speaking to you about this matter a few days ago & I hope the Darbar will kindly consent to settle it for me.

The present position appears to be that a very small plot at one end of the enclosure round the graves has been laid out as a garden & that an approach path has been made from Avenue Road. I am in general accord with your view that some small concessions would probably be sufficient. Whether it is necessary to put a roof over the graves may perhaps be open to doubt. It would apparently involve the cutting down of several trees within or adjacent to the grave enclosure. I am, however, quite prepared to agree to any decision which the Darbar may think suitable.

The fact that certain Hindu gentlemen have apparently taken a part in the recent proceedings connected with these Muhammadan graves, while the Darga is in some way connected with the Nabi Shah Darga near the Lal Bagh seems to be an additional reason for my inviting the kind assistance of the Darbar in settling the matter.

Yours very sincerely

.Visvesvaraya Esqr, C.I.E.,
Dewan of Mysore.

Let it be put up
& take all necessary action
in consultation with the
Jt. Member & myself.
I will explain the views of the Resident
as intimated to me in personal conversation

8.2.15.

Dewan

I spoke him with me yesterday that
before the Maramadu by the Rc is
over I shall be able to give him the
the Shamiyana which is wanted in front of Dewan
15/

Bangalore

26th August 1915.

P. L.

3232

My dear Sir,

I am in receipt of your demi-official letter, dated the 20th August 1915, about the Muhammadan graves in the Rosebery Compound.

The subject is having attention and every endeavour will be made to expedite its speedy disposal.

It is reported that the delay in the settlement of the question is due to the absence of some of the parties concerned, from the station.

Yours very sincerely,

26.8.15.

Dewan

Dewan

26/8

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

2843

My dear Newman Barker,

Please refer to our correspondence with the Barber Letter 1655, of the 7th June last, and to that Henry, about the Inheritance taxes in the estate of [illegible] deceased.

Apparently we have had a number of inquiries from the Barber Estate of late, and I shall be obliged if you will kindly let me have whatever correspondence there is on file.

A short statement has been put up at one of the enclosure concerning the graves, & I think it would be well to send it on early next week, before it is to be altered.

As I said before, I [illegible] the Barber's [illegible].

Yours [illegible]

N B —Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

GPB 0000—5 15

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

1/

Bangalore

23.8.15

Dear Mr. Narasinga Rao,

Adverting to our conversation relating to the Mahomedan graves in the Residency Compound, I send herewith a draft in reply to the Resident for the Dewan's approval

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29-C 14

4:—

The number and date of the letter under reference are omitted which please supply.

I have already informed you of the reasons for the delay. Owing to the delicacy of the matter I have been giving my personal attention to the negotiations

Mr. unfortunately the amildar
Mr. Sayid yakub thought
when I was arranging the
settlement with the parties
left. The station master
before completing the work
at the beginning of last month.
Since then I have
myself interviewed some
of the parties and spoken to
Mr. Hanumantha Rao the
present amildar about
the acceptable lines of

Routir

quisition

settlement - and I hope
to be able to submit my
report at an early date

yours sincerely

Chairman

N.B - as he writte
be copied,

GPB—50,000—29-6 14

ENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

To

The Hon'ble
C.A. Lei Hugh Daly Esq I.C.S
S.S. & Residency Myaw

My dear Sir.

I am in receipt
of your D.O letter no
dated ~~desiring~~
~~that the pending question~~
~~as regard to the Concerning 15~~
~~be granted~~ to the Maho-
medan graves in the
Residency Compound may
be ~~settled early~~.

The subject is
engaging attention
~~of the Myaw Superintendent~~
who state, that the delay
in Settlement is due
to the absence of the Some of-
parties from the Station and
~~that efforts are being made~~
Every endeavour is being made to expedite
the disposal of the question.

matter will be submitted
at an early date.

Yours very sincerely

Llewellyn

Lea
25/4/11

GPB—15,000—13 11 11

5-0

My dear Sir,

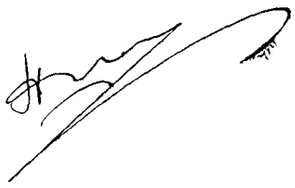
Referring to correspondence ending with your D.O. letter dated 20th August 1915 in the matter of the Mahomedan graves in the Residency compound and in continuation of my D.O.letter No.3232 dated 26th August 1915, I send herewith (not accompanied) prepared by me a note on the subject by the Muzrai Superintendent, ~~together with its enclosures~~.

The Muzrai Superintendent considers that it may perhaps be advisable to allow the question to lie over for the present as the lawful custodian of the Makhan is a minor and the present applicant Venkatachala Mudaliar has no community of interest with him and that if an immediate decision is considered expedient he recommends that the approach from the Avenue road may take the form of a carriage drive, that in addition a space of about 40 ft. square in front of the enclosure on which some flower plants have now been raised, be allowed to continue as a garden and that if permission to erect in front of the enclosure a small and neat shelter for the caretaker will be appreciated.

These recommendations have met the approval of Mr. T. V. Ramjunayya

and I also agree.

Yours sincerely,



Draft for approval
lea
9/11/31

The Hon'ble
Col. Sir [illegible], K.C.I.E.,
C.S.I.,
Resident in Mysore,
BANGALORE.

be quite conversant with the local needs of the institution or the amount of support financial and otherwise which will be forthcoming from the devotees. The Makhan itself is understood to be only of secondary importance and its circle of devotees either among the Mahommedans or Hindus is somewhat limited though latterly there has been some activity of the revivalist kind and attendence has been larger. A collection box is kept on the premises and out of the takings a Muzavar or Caretaker is retained to offer prayers at the graves and keep the premises clean.

7. If, however, it is considered expedient that a definite decision should immediately be arrived at in the matter of concessions which may reasonably be granted, it is submitted that the following proposals will appear to meet sufficiently the necessities of the case:-

(1) At the time of acquisition an approach from the road appears to have been promised. To allow of Muslim ladies driving up to the institution, a carriage road may be allowed to be constructed, taking off from the Avenue road with a tunnel over the side drain.

(2) A space of 89 ft. by 42 ft in front of the enclosure is now clear and some flower plants have been raised This may be permitted to remain

the strict condition enjoined, t
shade or fruit trees should be pl
thereon. There is [illegible] suffi
shade in and about the [illegible]
fruit trees [illegible] to f[illegible]
complications.

(3) A [illegible] of [illegible] f[illegible]
tic[illegible] [illegible] t[illegible]
[illegible] cleared [illegible]
[illegible] [illegible] t[illegible]
to serve for [illegible], [illegible]
in [illegible] [illegible] Boards [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible]

but an elegant and artistic pavilion at prohibitive cost. Above all, it is not a religious necessity, which is the only criterion to consider in the existing circumstances.

(6) It is represented that a small shelter from sun and rain for the Muzavar ~~watching~~ waiting at the institution will be greatly appreciated. An elaborate structure will be out of keeping with the surroundings. If a shelter is pressed for and the Management has sufficient funds to put up a neat one, permission may be granted to erect a small wooden shed 6ft. by 4 ft. on the left side of the entrance and adjoining the enclosure.

963

8. A sketch plan of the Mathon premises showing existing conditions and the proposed carriage road is submitted herewith for purposes of reference.

9.11.1915)

Assistant Superintendent

G.R.S. 13]

57

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

DIARY No 940

No. 2133

D. O. No. 10003

19/4/1915
SECTION Secret
FILE No. 245-14
ENCLOSURES, 1

In December 1914.

My dear Dewar,

A question has arisen regarding some Lutheran converts in the Residency compound. The file sent herewith contains all the information which we possess on the subject. The Warden of the C. M. S. Station, in his report of the 30th November last to the Collector, states that the shrine is said to be an institution, that it is one of 35 Durgas attached to a religious institution which is recognised by His Highness's Government.

In the circumstances, I should be very much obliged if the Darbar would kindly advise me as to what action should in their opinion be taken in the matter.

Please return the file with your reply.

Yours very sincerely,

H. Wheeler, Esq., C.I.E.,
Dewan of Aundh.

N B —Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

GPB—50 000—29-6 14

Bangalore,

D. O. No. 2506 9th December 1914

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To

The Hon'ble

CSI Sir Hugh Daly,

Bangalore

My dear Sir,

I have duly received your D O. letter No 10003 of this date with a file of papers relating to certain ~~regarding~~ ~~some~~ Mahomedan graves in the Residency compound.

I shall have the previous references looked up in the office and hope to be able to send you a reply as soon as possible

Yours very sincerely,

Dewan.

9.12.14

57

D. O. No. 2633/En Two files

BANGALORE.
14th January 1915.

My dear Sir,

In continuation of my D.O.letter No.2506 dated 9th December 1914 acknowledging your letter of enquiry in the matter of certain Mahomedan graves in the Residency compound, I forward herewith for your reference and favour of return when done with, a file of papers, traced in the Secretariat records relating to the acquisition of the land on which the graves are situated.

2. The Inam Register, a printed extract from which is available in the record, throws some light upon the previous history of the Darga which is known as Ekimsha's Darga and Makhan. Who Ekimsha was, is not known; but even at the time of the Inam enquiry, there appears to have been two versions regarding the origin of the Darga, but that it was an old institution seems to have been assumed

3. The exact relation in which this Darga bears to the [illegible] Idgah has not been ascertained, but there seems to be little doubt that it is under some sort of superior control the latter [illegible]

578

Makhan is however treated in the Muzr i accounts as a separate institution endowed for its support with a "Devadaya" land Inam in Gerahalli village, Bangalore Taluk, of the extent of 2 acres, 15 guntas (dry). This land was granted in lieu of the ~~extent~~ area originally endowed to the Darga in Sampigehalli village and acquired for extending the compound of the Government House (Residency) under the authority of the Chief Commissioner's order of 25th April 1873. In ordering the acquisition, the Chief Commissioner ~~was pleased to~~ directed that 'the Darga or tomb should be enclosed with an approach from the road'.

4. Thus with the exception of the area actually enclosed, the ~~remaining extent~~ land is the property of the Government of India and the Manager of the devotees of the institution appear to be entitled only for the approach road already sanctioned. In addition to the above it is now proposed to lay out a flower garden and raise some shade trees round the enclosure and to put up an ornamental structure over the graves with a small building attached to serve as quarters for a Fakir who is to look after the institution and it is prayed that an extent of about half an acre may be ceded to the institution for the above purpose, out of the Residency grounds. These are matters which have to be disposed of on considerations of convenience and expediency. The Darga does

57

not appear to have been much cared to in the past, and the devotees should in reason be satisfied with some small concessions, such as a neat little flower garden and a simple elegant roof over the graves.

5. I have thought it unnecessary at this stage of the question to make any elaborate enquiry regarding the previous history of the institution and the precautions that may be found necessary for the protection of public peace. If, however, you are ~~induced~~ chined to think that the Darga grounds should be extended largely, so as to abut on the public road or that ~~an imposing~~ any large structure ~~should~~ may be allowed to be raised on it, it may be necessary to consult the local Durbar Officers for suggesting safe-guards against complications in the future.

6. The file of papers received with your demi-official letter No.10003 dated the 9th December 1914, is herewith returned.

Yours very sincerely,

6/1/15

13.1.15

The Hon'ble
Col.Sir Hugh Daly,K.C.I.L.,C.S.I.,
Resident in Mysore,
BANGALORE.

Draft in appl:

3612/En. dis.

BANGALORE,

11th December 1915.

My dear Sir,

Referring to correspondence ending with your D.O.letter dated 20th August 1915 in the matter of the Muhomedan graves in the Residency compound and in continuation of my D.O.letter No.3232 dated 26th August 1915, I send herewith a note on the subject prepared by Mr.G.Aravamudu Iyengar, Muzrai Superintendent.

The Superintendent considers that it may perhaps be advisable to allow the question to lie over for the present as the lawful custodian of the Makhan is a minor and the present applicant Venkatachala Mudaliar has no community of interest with him. If, however, an immediate decision is considered expedient, he submits for consideration two alternative proposals which appear to meet the requirements of the case. One of them involves the grant to the institution of about 650 sq. yards, but it has the merit of preventing trespass upon the surrounding Residency grounds.

These recommendations have met with the approval of Mr.K.V. Nanjundayya.

I however consider that it would be desirable to mark off the ground that is proposed to allot to the Makhan and ask the persons in charge to enclose it by a wall so that there might be no encroachment on the surrounding grounds on the part of the public. Till the persons in charge are able to put up an enclosure wall, the boundary may be marked off by a low earthen bund and all concerned prohibited from using any space beyond.

If anything is done to prevent the indiscriminate use of the grounds and keep the place free from undergrowth, &c., the neighbourhood will look neat and tidy. I put forward this idea merely as a suggestion.

Yours very sincerely,

DRAFT.

The Hon'ble
Col. Sir Hugh Daly, K.C.I.E., C.S.I.,
Resident in Mysore.